

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

TRANSAMERICA LIFE INSURANCE
COMPANY

Plaintiff

V.

IMG MARKETING, INC., d/b/a IMG
MARKETING and IMG Total
Solutions; and JERRY EDWARD
RILEY

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NO: 4:11CV00020 SWW

ORDER

The Court held a hearing in this case on February 7, 2011, which was originally scheduled for the purpose of taking up Plaintiff's motion for appointment of a receiver. Shortly before the hearing convened, Timothy J. Gifford, counsel for defendants IMG Marketing, Inc. and Jerry Edward Riley, moved to appear *pro hac vice*, and filed motions to dismiss and a motion to postpone a hearing on whether to appoint a receiver. Mr. Gifford was also present at the hearing.

As stated from the bench, attorney Gifford's motion to appear *pro hac vice* is granted; a decision on Plaintiff's motion for appointment of a receiver will be postponed until defendants' motions to dismiss have been resolved; and by agreement of the parties, the temporary restraining order issued in this case is converted into a preliminary injunction.

IT IS THEREFORE ORDERED that attorney Timothy J. Gifford's application to appear in this case *pro hac vice* (docket entry #18) is GRANTED. Attorney Gifford is hereby admitted to the bar of this Court for the purpose of appearing in this case as counsel for defendants.

IT IS FURTHER ORDERED that defendant IMG Marketing, Inc.'s motion for postponement of hearing (docket entry #22) is GRANTED.

IT IS FURTHER ORDERED that the temporary restraining order issued in this case on January 21, 2011 (docket entry #7) is hereby converted into a preliminary injunction by agreement of the parties.

IT IS SO ORDERED THIS 15TH DAY OF FEBRUARY, 2011.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE